IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FIFTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 17543 of 2004

Between:

S.Sambasiva Rao, s/o Rama Rao,
O/o the Dy.Executive Engineer (Housing),

A.P.State Housing Corporation Limited,
Venkatapur Mandal, Mulug Division, Warangal District (under suspension)

..... PETITIONER

AND

1 The A.P.State Housing Corporation Limited,

rep., by its Managing Director,Urdu Gally,

Himayathnagar, Hyderabad.
2 The District Collector/Executive Director (Housing),

A.P.State Housing Corporation Limited, Warangal.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ order or direction particularly one in the nature of writ of mandamus declaring that the order of suspension issued in RC No.C1/957/2003 dated 14-08-2003 by the second respondent is illegal, arbitrary, discriminatory and violative of Articles 14 and 16 of the Constitution of India and set aside the same.

Counsel for the Petitioner :MR.M.PANDURANGA RAO

Counsel for the Respondents : MR.V.CH.NAIDU

The Court at the stage of admission made the following **ORDER** :

The petitioner is a Work Inspector, Technical in the respondent-Corporation. A charge sheet was issued to three persons namely, the Deputy Executive Engineer, the Assistant Engineer and the petitioner on the ground that they misappropriated Rs.1,26,100/- by recording the measurements in 'M' book in a housing scheme without construction of the houses. The petitioner was kept under suspension with effect from 14-08-2003 without keeping the Deputy Executive Engineer and the Assistant Engineer under suspension. The grievance of the petitioner is that the second respondent made a selective suspension of the petitioner without suspending the other two persons and the suspension was also not reviewed for every six months by considering whether it is essential to continue the suspension of the petitioner. The enquiry is said to be pending against all the persons. It may be appropriate to direct the second respondent to review the order of suspension of the petitioner by considering whether it is necessary to continue him under suspension without suspending the other two delinquents during the pendency of the enquiry.

In the light of the above circumstances, the second respondent is directed to expedite the enquiry and he is also directed to review the order of suspension of the petitioner by considering, whether it is essential to continue the petitioner under suspension when his superiors are not kept under suspension during the pendency of the enquiry.

The writ petition is accordingly disposed of. No order as to costs.

_____

Dr. G. Yethirajulu, J.

Dt:5th October, 2004.

Rns.

To

1 The Managing Director,

A.P.State Housing Corporation Limited,

Urdu Gally, Himayathnagar, Hyderabad.

2 The District Collector/Executive Director (Housing),

A.P.State Housing Corporation Limited, Warangal.

3. Two CD copies.